

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

DAVID FERGUSON, et al.

Plaintiff,

C-1-02-039

-v-

RYDER AUTOMOTIVE, et al.

Judge Herman J. Weber

Defendants.

ORDER

This matter is before the Court on the Motion of Plaintiffs David Ferguson and Martha Ferguson to strike and quash the affidavits of Mr. Scott Macaulay and Ms. Lynn Buckhalt and the disclosures of those two individuals as witnesses under Fed. R. Div. P. 26(a)(1) by defendants Allied Systems, Ltd., and Allied Automotive Group, Inc. The Court being sufficiently advised,

IT IS ORDERED that Plaintiffs' Motion to Strike and Quash the Affidavits of Scott McCauley and Lynn Buckhalt and their associates disclosures under Fed. R. Civ. P. 26(a)(1) be, and it is, GRANTED.

This ____ day of _____, 200__.

JUDGE, UNITED STATES DISTRICT COURT

TENDERED BY:

s/Thomas R. Koustmer
Thomas R. Koustmer (0008410)
1800 Federated Building
7 West Seventh Street
Cincinnati, Ohio 45202
(513) 621-3616
Trial attorney for Plaintiffs David and
Martha Ferguson

Respectfully submitted,

s/Thomas R. Koustmer
Thomas R. Koustmer (0008410)
Attorney for Plaintiffs
1800 Federated Building
7 West Seventh Street
Cincinnati, Ohio 45202
(513) 621-3616
Email: plpaige@aol.com

s/Michael J. Honerlaw
Michael J. Honerlaw (0034469)
Attorney for Plaintiff
Honerlaw & Honerlaw Co., L.P.A.
9227 Winton Road
Cincinnati, Ohio 45231
(513) 931-2200
Email: mike@honerlaw.com

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served by electronic transmission or ordinary U.S. Mail to the following this ____ day of November, 2003.

Kenneth Robert Schoeni
Kohnen & Patton
PNC Center, Suite 800
201 E. Fifth Street

Cincinnati, Ohio 45202
(513) 381-0656
Attorney for Defendants, Ryder System Inc;
and Commercial Carriers, Inc.

David E. Larson
Larson & Larson PC
11300 Tomahawk Creek Parkway, Suite 310
Leawood, KS 66211
Attorney for Defendants Ryder System Inc.,
And Commercial Carriers, Inc.

Robert Albert Winter, Jr.
Hemmer Spoor Pangburn DeFrank & Kasson PLLC
250 Grandview Dr., Suite 200
Ft. Mitchell, KY 41017
(859) 344-1188
Attorney for Defendants, Allied Systems and
Allied Automotive Group

Craig R. Paulus, Esq.
Taft, Stettinius & Hollister LLP
PNC Center
201 E. Fifth St., Suite 800
Cincinnati, Ohio 45202-3957
Attorney for Defendant Hanes Supply, Inc.

Thomas R. Koustmer
Attorney for Plaintiff